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General and complete disarmament

Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

Report of the Secretary-General

Addendum**

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* A/71/150.

** The information contained in the present addendum was received after the issuance of the main report or for technical reasons could not be processed in time for inclusion in that report.

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II. Replies received from Governments

Japan

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Japan is of the view that the immediate commencement of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices and its early conclusion is indispensable. The consensus report of the Group of Governmental Experts could serve as a useful reference and resource for States and negotiators of a fissile material cut-off treaty. The international community is ready to begin negotiations on a fissile material cut-off treaty, which should commence immediately based on the mandate contained in document CD/1299.

As long as the intended objectives of negotiating in the Conference on Disarmament can be effectively ensured, every possibility should be sought to commence negotiations on a fissile material cut-off treaty, including through creating a forum for negotiation within the framework of the United Nations.

There is a clear reference to a non-increase in the context of the treaty objective in paragraph 6 of the report. A treaty should seek to prevent any increase in the amount of fissile material assigned for use in nuclear weapons or other nuclear explosive devices. The core obligations, therefore, should include, among others, closing down/decommissioning former production facilities and refraining from reversion/diversion of fissile material from civil to military purposes.

Regarding the matter of whether to include existing stocks of fissile material within the scope of a fissile material cut-off treaty, it was of particular importance that detailed examinations take place in the discussions of the Group of Governmental Experts on various functional categories of fissile material and the verification implications for each, which could include, inter alia, national security, commercial proprietary and resource requirements for verification. The functional categories considered in the report will undoubtedly serve as a useful reference for future negotiators.

It is best that "definitions" and "verification" be treated flexibly and separately. Instead of limiting a ban on fissile material production based on what can presently be verified given costs and current technologies, materials and activities to be prohibited should first be put forward based on the object and purpose of the treaty (first type of "definitions"). Only then should consideration be given to cost-benefit analyses and technologies in order to specify what can practically be subjected to verification (second type of "definitions"). These two types of definitions should generally be considered separately. As a result, the materials and activities that are prohibited may not necessarily correspond to those that are subject to verification.

Pakistan

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Pakistan's principled views on a fissile material treaty are based on the following considerations.

First, and foremost, the treaty should provide equal and undiminished security for all States. As recognized by the final document of the first special session of the General Assembly devoted to nuclear disarmament, SSOD-I of 1978, in the adoption of disarmament measures, the right of each State to security should be kept in mind and, at each stage of the disarmament process, the objective should be undiminished security at the lowest possible level of armaments and military forces. A treaty which overlooks or circumscribes the security of any State would not work and cannot be negotiated.

Second, the treaty should make a genuine contribution towards the goal of nuclear disarmament and not merely be a non-proliferation instrument.

Third, in addition to a ban on future production, the treaty must also cover the past production or existing stockpiles of fissile materials, in order to address the asymmetries in fissile material holdings at the regional and global levels.

Fourth, the treaty should neither discriminate between the various nuclear-weapon States, nor between the nuclear-weapon and non-nuclear-weapon States. All States parties should assume equal obligations without any preferential treatment for any category of States.

Fifth, in order to be effective, the treaty should be free of any loopholes by encompassing all types and sources of fissile materials that can be used in nuclear weapons.

Sixth, in order to be credible, the treaty should provide a robust verification mechanism entrusted to a representative and independent treaty body.

Seventh, the treaty should promote both regional and global stability and enhance confidence among States parties.

Eighth, the treaty should not affect the inalienable right of all States to use nuclear energy for peaceful purposes. However, it should include effective verification measures to safeguard against any misuse or diversion of peaceful use technology and nuclear materials to prohibited purposes.

Lastly, the treaty should be negotiated in the Conference on Disarmament, which is the single multilateral disarmament negotiating forum. The Conference on Disarmament strictly operates under the consensus rule to allow each Member State to safeguard its vital security interests. A treaty that is negotiated outside this body will lack legitimacy and ownership. Same is the case for any pseudo progress through General Assembly-led divisive processes that do not involve all stakeholders, such as a group of governmental experts or any variant thereof.